would like to provide this figure to the hon. Member. But, we have launched the programme. On 13th we have a meeting to the State Labour Ministers of our country and this particular programme is going to be discussed, not only the States where the children are being employed, but we will also be discussing with the States from where the children are coming to Delhi, Mumbai and other main cities in search of employment. We would like to plug it from both the sides.

MS. MABEL REBELLO: Sir, the children who work as domestic servants and at *dhabas* are mostly SCs, STs and OBCs. I would like to know from the hon. Minister whether all the tribal districts, where there is concentration of tribals and poverty, have been included in this scheme. If not, when will all such districts be included in the scheme?

SHRI OSCAR FERNANDES: Sir, the hon. Member hails from the State of Jharkhand. I am going to Jharkhand on the 1st instant. I will be having a special meeting with the State Government on this particular issue. Other than that, the hon. Member has raised a very relevant point about SCs and STs. Most of the poor people belonging to this section of society. Our effort is to strengthen our education system from SCs and STs. I assure the Member that we will be giving special attention to cover the SCs and STs.

Blacking out of TV channels by Gujarat Government

*184. SHRIMATI SYEDA ANWARATAIMUR: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government is aware that Aaj Tak, NDTV and CNN-IBN were blacked out in Ahmedabad by Gujarat Government in October, 2007;

(b) if so, whether All India Cable Operators Association has filed a complaint against this gagging of freedom of electronic and print media; and

(c) whether Government has devised or is devising effective safeguards so that freedom of electronic and print media is not arbitrary denied on whimsical grounds?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYARANJAN DASMUNSI): (a) Cable Operators in the jurisdiction of Ahmedabad District were prohibited by District Magistrate, Ahmedabad from relaying certain programmes related to communal riots of 2002 that were carried by Aaj Tak and IBN-7 TV channels.

(b)No, Sir. However Cable Operators Federation of India had filed a complaint dated 21st August, 2007 stating that political campaign cassettes and CDs are being distributed through Gujarat Entertainment Tax & Information personnel with a letter written on departmental letter-head and 'operators are directed to show these footings on the prime time'. Another complaint dated 30th October, 2007 was received from the Federation that a company called Infinium is using OB Vans and various fibre optic networks to downlink the signals of the channel 'Vande Gujarat' from internet and distributing it using personal computers & fibre-optic cables to all the MSOs and cable operators in the State,

(c) Government fully respects freedom of the electronic and print media. All broadcasters are required to abide by the Programme and Advertising Codes prescribed under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder. As regards print media it is informed that the Press Council of India is a statutory autonomous body with the twin objectives of preserving the freedom of the print media and of maintaining and improving

the standards of News Papers/News Agencies in India and to inculcate principles of self-regulation among the print media. The Government follows a policy of non-interference in the functioning of the Council which enjoys complete autonomy in its functioning.

SHRIMATI SYEDA ANWARATAIMUR: Sir, the hon. Minister, in his reply, has stated, "Cable operators in the jurisdiction of Ahmedabad District were prohibited by District Magistrate, Ahmedabad from relaying certain programmes related to communal riots of 2002 that were carried by Aaj Tak..." He further says, "Government fully respects freedom of the electronic and print media .... The Government follows a policy of non-interference in the functioning of the Press Council which enjoys complete autonomy in its functioning." So, I would like to now whether the Government of India took any action against those who violated the autonomy of the Press Council.

SHRI PRIYARANJAN DASMUNSI: Mr. Chairman, Sir, the particular incident mentioned by the hon. Member, Shrimati Syeda Anwara Taimur, is very important. The Collector of Ahmedabad banned the said relaying of Tehalka in 2002. Some of the journalists of the concerned channel came to me. I asked them to give a written complaint in this regard so that we could investigate the matter. Rightly or wrongly, I don't know, none of the channels gave anything in writing. The powers of a Collector in any district of India are guided by an Act, which was passed by Parliament, the Cable Net Regulation Act, 1985. As per this Act, if a Collector, in his wisdom, feels something is prejudice to the harmony in the area, which he presides, he can order the banning of such things. And, after careful study and investigation by my own Ministry, I found that the Collector of Ahmedabad did the right thing. Therefore, we do not think that anything was wrong in that. The Freedom of Speech and Freedom of Expression is allowed, subject to the guidelines of the Cable Net Regulation Act, 1985. Therefore, in my opinion, it appears to me, not merely as a Minister but also as a citizen of this country that if there was some plan or agenda in any quarter to show that constantly and create a kind of situation which could polarise one against the other, the Collector of Ahmedabad did the right thing. I support....*(Interruptions)*...

SHRI SHAHID SIDDIQUI: Sir, it is very strange. ...*(Interruptions)*... क्या सच्चाई सामने नहीं आनी चाहिए।...(**व्यवधान**)...

SHRIMATI BRTNDA KARAT: Shame on the ...*(Interruptions)*...

MR. CHAIRMAN: Please allow the second supplementary to be asked. ...*(Interruptions)*...

प्रो0 राम देव भंडारी : सर,यह तो फ्रीडम प्रेस पर हमला है।...(**व्यवधान**)...

MR. CHAIRMAN: Please allow the second suppplementary to be asked. ...*(Interruptions)*... Please allow the second supplementary to be put. ...*(Interruptions)*... Please allow the second supplementary to be put. ...*(Interruptions)*...

श्री शाहिद सिद्दिकी : सर, ये सच्चाई पर पर्दा डालना चाहता हैं।...(**व्यवधान**)...

†**شری شاہد صدیقی**: سر، یہ سچائی پر پردا ڈالنا چاہتے ہیں۔...مداخلت...

श्री अमर सिंह : सर, यह मिली भगत हैं।...(**व्यवधान**)...

प्रो0 राम देव भंडारी : सर, यह फ्रीडम ऑफ प्रेस पर हमला है।...(**व्यवधान**).....

†[]Transliteration in Urdu Script.

MR. CHAIRMAN: I would appeal to the hon. Members to please allow the second supplementary to be put. ...*(Interruptions)*...

SHRI PRIYARANJAN DASMUNSI: Sir, I am prepared to respond to any question that they may put. ...*(Interruptions)*...

MR. CHAIRMAN: I would request the hon. Members to please allow the second supplementary to be put. ...*(Interruptions)*...

SHRIMATI BRTNDA KARAT: It is the most shameful defence of the genocide against minorities. ...*(Interruptions)*...

MR. CHAIRMAN: You are not allowing the second supplementary to be put. ...*(Interruptions)*... No slogans in the House, please. ...*(Interruptions)*...

SHRI PRIYARANJAN DASMUNSI: Sir, our Government is second to none to oppose communalism and to defend secularism. ...*(Interruptions)*... But the conspiracy behind it, if you allow me to explain. ...*(Interruptions)*...

MR. CHAIRMAN: There should be no slogans in the House. ...*(Interruptions)*... None of these will go on record.... *(Interruptions)*....Please allow the second supplementary to be put.

SHRIMATI SYEDA ANWARA TAIMUR: Television gives publicity if anything happens anywhere in the world. Whether it is a national calamity or any atrocity, all the facts are shown on the TV. It is very sad that the State Government had banned the publicity. If the State Government does not perform the primary duty to protect the life and property of the people, I would like to know whether the Central Government would take steps so that such ban does not happen in future.

SHRI PRIYARANJAN DASMUNSI: Sir, I need your protection to explain the whole thing. I leave it to the hon. Members to put any question thereafter. Please, for a moment, let me analyse and explain it to you. The Gujarat 2002 incident is a shameful act not only for Gujarat, but it is a blot on the whole nation. Parties having faith in secularism, parties having faith in the Constitution did condemn it, time and again, in both the Houses. And the Congress Party and our Government is second to none to defend the secular fabric of the nation in opposition to communalism, which claimed the life of Mahatma Gandhi. ...*(Interruptions)*... Please allow me to intervene. ...*(Interruptions)*... You cannot do like that, Brindaji. I am a Minister, I have to explain. ...*(Interruptions)*...

MR. CHAIRMAN: Let the hon. Minister complete the reply. ...*(Interruptions)*...

SHRI PRIYARANJAN DASMUNSI: Mr. Chairman, Sir, the Cable Network Regulation Act decisively decided that a collector is in command of certain power within the Act which we passed in this House. If he feels a particular expose can endanger the situation of harmony, he can do so. It is the Parliament who gave the power to a collector. This is one thing.

Secondly, about this expose and a few others, you may hear me first. A company called, Infinium, surreptitiously got a DoT licence for VSAT long before the Gujarat election was announced. And, OB-van is to carry from internet, using the PC computer, to encroach and access on the channels which are regularly operating through cable network regulation and the Satellite on mandatory prime programme or non-prime band. Suddenly, be it STAR TV, be it NDTV or any channel, started projecting their *Bande* Gujarat, an entertainment and

campaign programme of the Gujarat Government. Sir, at that time, a complaint was lodged with the Ministry by the Cable Operators Federation of India. I gave due cognizance to it, and I found that these allegations were correct. The OB-Van started operating here and there. Nobdoy knew what happened. Somebody who was waiting to see *Kaun Banega Crorepati* suddenly found that that was not coming, *Bande Gujarat* was coming. Somebody who was waiting for seeing some non-prime programme of DD Bharati found that that was not coming, *Bande Gujarat* was coming. Then we enquired and found that *Bande Gujarat* was being operated as a separate channel through using that particular OB-Van who got the V-SAT licence from the DoT, not from our Ministry, and that licence was misused, day in and day out, to operate, in this style. Sir, this is number one.

Number two, we also gathered that just on the eve of election notification, something is expected very suddenly—I don't blame anybody nor have I desire to put any blame on any company—at that inappropriate time, on the eve of election notification, another thing was being planned by some other channel to focus it and twist the mind. The channel, has shown—I have also seen it—the horrifying story of 2002.I welcome the Members' agitation because it deserves more publicity. But, its timing is important. A polarisation was planned by a group very .sincerely, sitting in Delhi and sitting in Ahmedabad. After collecting all this, I then read the Cable Television Networks (Regulation) Act. You must be knowing, Mr. Chairman, Sir, that no other Collector of Gujarat State had shown the courage and wisdom to know what is going to happen, except the Ahmedabad Collector. There were many other Collectors. Everybody was advised not to ban it, not to ban it. But he was the one who strictly adhered to the norms of the Constitution, everything, and stood by it. I examined it for three days. Then I asked the channel, 'please give me in writing that you are opposing to it, so that I can take action.' But the channel refused to give anything in writing. Just tried to build it up. Try to understand the inner meaning also. Then I found that both the OB-Van licensee and the operator were operating at tandem. Sir, then by using the power that was in my hand, I cancelled the DTH licence of that operator who was doing the clandestine operation in this manner and I left the other things to DoT to investigate and inform me of the factual position of the matter so that we can take action. This is the background of the episode. Yes; the hon. Members from the Left, Samajwadi and other parties have a right to say that 'since it was exposed in that way, why do you welcome the ban imposed by Ahmedabad Collector?' You should also understand why the Ahmedabad Collector did it and why the rest of the Collectors did not do it. Later on, the Election Commission also stood by what the Ahmedabad Collector did. The Election Commission banned the *Bande Gujarat Theme,* the manner in which they were operating encroaching upon the prime time of the other news channels. This is the factual position. Please try to understand it. It is not intentional and it is not that I suddenly become a votary of 2002 communal riots; not at all. The inner meaning is that this expose could have been shown even six months back, five months back. I don't mind. But just doing it at the time of the Election Notification period and the game plan behind it was something which need to be looked at. And they also refused to give in writing saying that 'since we are affected, why don't you allow us to show it'? No. Because they know that by giving in writing, the exposure will come in a bad way and some more investigation will take place.

That is all I can say before the House and I can tell you, Sir, a genuine friend who thinks for secular fabric of the country, he would realise what I say after some time that when the nation is thinking that secularism should win in Gujarat, then you don't compel me to give dividend to someone who tries to campaign for a particular ...*{Interruptions)*...

MR. CHAIRMAN: Please allow the Question Hour to proceed. Kumar Deepak Das.

SHRIMATI BRINDA KARAT: Sir, he is making a political speech. ...*(Interruptions)*... of the Gujarat Government in the genocide and the State.

SHRI PRIYARANJAN DASMUNSI: Sir, I refute this allegation made by Brinda Karatji. She has no'substance to substantiate it. I say it on the floor. ...*(Interruptions)*... You only address the gallery ...*(Interruptions)*...

MR. CHAIRMAN: Please allow the Question. ...*(Interruptions)*... Kumar Depak Das. Shri Kumar Deepak Das. ...*(Interruptions)*...

SHRI PRASANTA CHATTERJEE: Sir, this is misuse of ...*(Interruptions)*...

MR. CHAIRMAN: Please let questions be asked. Shri Das please. ...*(Interruptions)*...

SHRI SHAHID SIDDIQUI: Sir, please let the question be asked. This is a very serious charge against them. ...*(Interruptions)*...

MR. CHAIRMAN: Shri Das ...*(Interruptions)*... Could you repeat the question please?

SHRI KUMAR DEEPAK DAS: Sir, I would like to know whether the Ministry would take any steps or enact some rules to stop such incidents occurring in the States.

SHRI PRIYARANJAN DASMUNSI: Sir, the provisions of the Cable Television Networks (Regulation) Act, 1995 are available on the website of the Ministry; it is available to everyone. According to that law, power is given to the Collector of every district in the country. I can even tell you that there had been tension and a sensation in some part of the country, other than Gujarat, at one point of time. At that time, the Collector had called the cable operators and asked them not to air the private issues so that peace could be maintained in the area. This is the position as far as the law is concerned.

SHRI SITARAM YECHURY: Sir, will the hon. Minister be kind enough to tell us, while they are doing all this, whether that channel has been banned? Because, this opens you up for the charge that you are conniving with the* forces in Gujarat and not allowing the publicity of what happened in 2002 to properly reach the people through that exposure. And if the channel had actually been arranged, then they should have been banned. But you have not done that.

SHRI PRIYARANJAN DASMUNSI: Sir, the hon. Member, Shri Sitaram Yechury has put a very right and pertinent question. Our Ministry said that action should be taken in the light of whether what the Collector did was the right thing or what the channel did was right. Viewers are more keen to see that channel on. There has not been one complaint till now by the viewers about this ban. But from our side, we have appointed a group to investigate the matter in detail as to who are party to it from both sides, one from our Ministry and the other from DoT, which had given the VINSAT licence to that particular company whose DTH has also been banned.

Sir, I would also like to say here that there is a public sector company in Gujarat called the Gujarat Fertilizers which is also involved in it. As and when the investigation is over, I shall come back to the House again with the details. I can only tell Brindaji and everybody else that a deep-rooted plan is behind all this and that plan will be known to the House shortly. I am actively engaged in the full investigation.

SHRI SHANTARAM LAXMAN NAIK: Sir, the Minister has given very valuable information which perhaps most of us did not know. However, I would like to know after the

telecast of that programme, whether any survey has been conducted about the reaction among the people after seeing the programme by the Ministry.

SHRI PRIYARANJAN DASMUNSI: Sir, it was a very interesting reaction. I did contact my department and also tried to contact my officials in Gujarat. Obviously, people who have abundant faith in secularism are astonished to see the inner design of what happened in 2002. At the same time, 1 also gathered that there was a definite design every day to see to it that these exposures continue till before the day of elections. And every intelligent Member of the House knows these things better and, therefore, they must be knowing that many of the Collectors did not agree to this kind of action in spite of the normal law prevailing there, but there was only one Collector, Dhananjay Dwivedi, who stood firm and the Election Commission justified his action.

* 185. [The questioner (Shri Varinder Singh) was absent. For answer *vide* page. 23.]

MR. CHAIRMAN: Q. No. 186.

SHRI DATTA MEGHE: Sir, Q.No. 194 is the same as this question.

MR. CHAIRMAN: No, It is listed separately. Q. No. 186

Resentment among small traders against FDI in retail

*186. SHRIAMARSINGH:††
SHRI ABU ASIMAZMI:

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government is aware about the strong resentment amongst the small traders over the entry of Foreign Direct Investment (FDI) and corporate houses in the retail sector;

(b) whether Government had received any protest from the small traders in this regard and if so, the details thereof; and

(c) Government's reaction in regard thereto?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI KAMAL NATH): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) and (b) The Government has received a number of representations against permitting Foreign Direct Investment (FDI) in retail trade from various industry associations, including small scale industry and retail traders. List of representations is enclosed as statement. *(See* below)

(c) The present policy does not permit FDI in retail trade except in Single Brand retail. Government has alowed FDI up to 51%, with prior Government approval, in retail trade of 'Single Brand' products with the following conditions:

(i) FDI up to 51% would be allowed, with prior Government approval, for retail trade of Single Brand Products;

(ii) Products to be sold should be of a 'Single Brand' only;

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*Expunged as ordered by the Chair.

††The question was actually asked on the floor of the House by Shri Amar Singh.